

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 18-0220 JB

NATHANIEL DONALD JOHNSON,

Defendant.

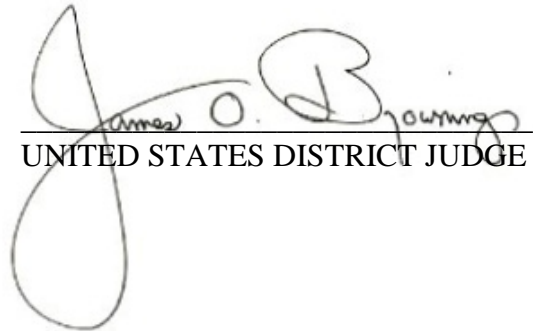
ORDER¹

THIS MATTER comes before the Court on the Defendant's Motion to Suppress Evidence, filed February 4, 2019 (Doc. 31) ("Motion"). The Court held an evidentiary hearing on March 18-March 19, 2019; and April 8, 2019. See Clerk's Minutes at 1, filed March 18, 2019 (Doc. 49); Clerk's Minutes at 1, filed April 8, 2019 (Doc. 56). The primary issues are: (i) whether the Court should suppress evidence that Drug Enforcement Administration Agent Jarrell Perry obtained after seizing the Defendant Nathaniel Donald Johnson and searching Johnson's bag without a warrant; and (ii) whether the Court should suppress statements that Johnson made during a custodial interrogation, because there was no temporal or casual break between the interrogation and Johnson's arrest. At the hearing, the Court indicated its inclination to deny the Motion. See Transcript of Hearing at 15:20-18:2 (taken April 8, 2019), filed April 8, 2019 (Doc. 62). For reasons stated on the record, the Court will suppress neither the evidence obtained pursuant to the

¹This Order disposes of the Defendant's Motion to Suppress Evidence, filed February 4, 2019 (Doc. 31). The Court will, however, issue a Memorandum Opinion at a later date more fully detailing its rationale for this decision.

search nor the statements that Johnson made during his subsequent interrogation. Accordingly, the Court denies the Motion.

IT IS ORDERED that the Defendant's Motion to Suppress Evidence, filed February 4, 2019 (Doc. 31), is denied.



UNITED STATES DISTRICT JUDGE

Counsel:

John C. Anderson
United States Attorney
Mark Christian Pfizenmayer
Assistant United States Attorney
United States Attorney's Office
Albuquerque, New Mexico

Attorneys for the Plaintiff

Stephen P. McCue
Federal Public Defender
Benjamin A. Gonzales
Assistant Federal Public Defender
Federal Public Defender's Office
Albuquerque, New Mexico

Attorneys for the Defendant